

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL TRADE COMMISSION, STATE OF NEW	:	20cv00706 (DLC)
YORK, STATE OF CALIFORNIA, STATE OF	:	
OHIO, COMMONWEALTH OF PENNSYLVANIA,	:	<u>ORDER</u>
STATE OF ILLINOIS, STATE OF NORTH	:	
CAROLINA, and COMMONWEALTH OF	:	
VIRGINIA,	:	
	:	
Plaintiffs,	:	
	:	
-v-	:	
	:	
VYERA PHARMACEUTICALS, LLC, AND	:	
PHOENIXUS AG, MARTIN SHKRELI,	:	
individually, as an owner and former	:	
director of Phoenixus AG and a former	:	
executive of Vyera Pharmaceuticals,	:	
LLC, and KEVIN MULLEADY, individually,	:	
as an owner and former director of	:	
Phoenixus AG and a former executive of	:	
Vyera Pharmaceuticals, LLC,	:	
	:	
Defendants.	:	
	:	
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DENISE COTE, District Judge:

On September 17, 2020, plaintiffs filed a motion to redact portions of their response to defendant Martin Shkreli's opposition to plaintiffs' motion to compel a privilege log, as well as to seal exhibits B, C, D, F, and G supporting plaintiffs' response. It is hereby


ORDERED that where a party believes it must redact material or attach documents because they have received a "confidential" or "highly confidential" designation by another participant in

the litigation pursuant to a protective order, where feasible, the party shall contact the designator to learn whether an application to redact or seal is necessary, and, if it is, the reasons that should be conveyed to the Court to support such application.

IT IS FURTHER ORDERED that by Monday, September 21, defendant Shkreli shall explain why it is necessary to seal exhibits B, C, D, F, and G.

IT IS FURTHER ORDERED that unless a party provides sufficient justification by Monday, September 21, for the redaction of a passage or passages from the September 17 letter, the Court will require that letter to be filed without any redactions.

Dated: New York, New York
September 16, 2020



DENISE COTE
United States District Judge